

California Department of Insurance

Fraud Division

November 2010 Workers' Compensation Fraud Convictions

Effective January 01, 2005, Assembly Bill 2866 (Frommer) enacted Insurance Code Section 1871.9 requiring the posting of all workers' compensation fraud convictions to the CDI website.

Per section 1871.9, the department shall post all of the following information on its Internet Web site for each person, as defined in Section 19, convicted of a violation of this article (1871.4), Section 11760 or 11880, Section 3700.5 of the Labor Code or Section 487 or 550 of the Penal Code, if the violation involved workers' compensation insurance, services or benefits:

- The name, case number, county or court and other identifying information with respect to the case.
- The full name of the defendant.
- The city and county of the defendant's last known residence or business address.
- The date of conviction.
- A description of the offense.
- The amount of money alleged to have been defrauded.
- A description of the punishment imposed, including the length of any sentence of imprisonment and the amount of any fine imposed.

The information required to be posted under this section shall be maintained on the department Web site for a period of five years from the date of conviction or until the department is notified in writing by the person that the conviction has been reversed or expunged.

Note: If new documentation has been received that in any way affects the conviction information contained herein, please forward that documentation with an explanation to:

Bureau Chief, Workers' Compensation Program
9342 Tech Center Drive, Suite 100
Sacramento, CA 95826

A determination to make any changes will be made within sixty (60) days of receipt of the information.

November 2010 Workers' Compensation Fraud Convictions

CDI Case Number: 09HW018786

County: Riverside

Defendant: Lawrence Eugene Agins, Jr.

City/County of Residence: Lake Elsinore/Riverside

Conviction Date: 11/01/10

Offense: 1 Count of IC 1871.4(a)(2) (False or Misleading Statement in Support of Claim)

Amount Allegedly Defrauded: \$117,352

Sentence: 120 Days County Jail (To Be Served by Electronic Monitoring Program Through LCA Client Services), 36 Months Summary Probation, \$2,206.40 Restitution (To Be Paid Within 30 Days), \$100 Civil Fine

Case Number: TCM243594B

County: Tulare

Defendant: Gregg Blackmon

City/County of Residence: Visalia/Tulare

Conviction Date: 11/05/10

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 36 Months Summary Probation, \$110 Civil Fine, \$10,000 Criminal Fine (\$8,500 Suspended)

CDI Case Number: 09AW001451

County: San Joaquin

Defendant: Carolyn Elizabeth Carver

City/County of Residence: Stockton/San Joaquin

Conviction Date: 11/16/10

Offense: 1 Count of PC 550(b)(3) (Failure to Disclose)

Amount Allegedly Defrauded: \$5,832

Sentence: 5 Years Formal Probation, TBD Restitution, \$200 Civil Fine

CDI Case Name: Nick's Garage

CDI Case Number: 10GW005500

County: Monterey

Defendant: Nicolas M. Chavez

City/County of Residence: Greenfield/Monterey

Conviction Date: 11/23/10

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 40 Day County Jail (30 Days Suspended-Remaining 10 Days may be served on Work Alternative Sentencing), 3 Years Conditional Probation, \$300 Civil Fine \$10,000 Criminal Fine (\$5,000 Suspended) Defendant ordered to pay \$1,000 to Monterey County District Attorney's Office

CDI Case Number: 08AW016056
County: Sacramento
Defendant: Kil Myoung Cho
City/County of Residence: Roseville/Placer
Conviction Date: 11/18/10
Offense: 1 Count of PC 550(b)(3) (Failure to Disclose) (Misdemeanor)
Amount Allegedly Defrauded: TBD
Sentence: 3 Years Informal Probation, \$100 Civil Fine, \$20,000 Criminal Fine (\$5,000 Suspended), Participate in Program and Protocols as Directed by District Attorney

CDI Case Number: 08AW016056
County: Sacramento
Defendant: Shaun Jung Cho
City/County of Residence: Roseville/Placer
Conviction Date: 11/18/10
Offense: 1 Count of PC 550(b)(3) (Failure to Disclose) (Misdemeanor)
Amount Allegedly Defrauded: TBD
Sentence: 3 Years Informal Probation, \$100 Civil Fine, \$20,000 Criminal Fine (\$5,000 Suspended), Participate in Program and Protocols as Directed by District Attorney

CDI Case Number: 10GW012852
County: Monterey
Defendant: Joseph Donald Dowling
City/County of Residence: Sand City/Monterey
Conviction Date: 11/05/10
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 1 Day County Jail, 3 Years Conditional Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$9,000 Suspended on condition comply with Probation)

Case Number: TCM243594A
County: Tulare
Defendant: Arion Obert Johnson
City/County of Residence: Visalia/Tulare
Conviction Date: 11/08/10
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 36 Months Summary Probation, \$110 Civil Fine, \$10,000 Criminal Fine (\$8,500 Suspended)

Case Number: 10M05256
County: Sacramento
Defendant: Ki Yeol Kim
City/County of Residence: Rocklin/Placer
Conviction Date: 11/22/10
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 3 Years Informal Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$9,275 Suspended)

CDI Case Number: 10EW007944
County: San Diego
Defendant: Randy D. Mehling
City/County of Residence: Chula Vista/San Diego
Conviction Date: 11/01/10
Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)
Amount Allegedly Defrauded: \$76,049.41
Sentence: 180 Days County Jail (Stayed Pending Successful Completion of Probation), 3 Years Formal Probation, \$76,049.41 Restitution, \$200 Civil Fine, \$800 Criminal Fine

CDI Case Number: 09BW018367
County: Marin
Defendant: Cleda M. Odiwe
City/County of Residence: Vallejo/Solano
Conviction Date: 11/04/10
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 29 Days County Jail, 100 Hours Community Service, 3 Years Supervised Probation, TBD Restitution, \$500 Civil Fine, \$10,000 Criminal Fine (\$7,500 Stayed)

Case Number: 2010033258 MA
County: Ventura
Defendant: Play Billiards
City/County of Residence: Oxnard/Ventura
Conviction Date: 11/22/10
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 24 Months Conditional Probation, \$10,000 Criminal Fine (\$9,000 Stayed)

CDI Case Number: 09AW001451
County: San Joaquin
Defendant: Brandon William Weil
City/County of Residence: Stockton/San Joaquin
Conviction Date: 11/16/10
Offense: 1 Count of PC 550(b)(3) (Failure to Disclose)
Amount Allegedly Defrauded: \$5,832
Sentence: 5 Years Formal Probation, TBD Restitution, \$200 Civil Fine